

PB# 97-17

SCAGLIONE, DOMENICO

6-1-20

97-17

SCAGLE LICO - SUBDIVISION
UNION AVE. (NEAR CLARKVIEW)
(ZIMMERMAN) 2 LOTS

Approved 8-27-97

Wilson Jones • Carbonless • S1642-4WCL Duplicate • S1644-4WCL Triplicate
Planning Board
 Town Hall
 555 Union Ave.
 New Windsor, N.Y. 12553
 © Wilson Jones, 1989

DATE May 12, 1997 **RECEIPT** NUMBER 97-17
 RECEIVED FROM Scaglione Quality Builders
 Address 241 Temple Hill Rd. - New Windsor, N.Y. 12553
Three Hundred Fifty 00/100 DOLLARS \$350.00
 FOR Subdivision Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	350 00	CASH	
AMOUNT PAID	350 00	CHECK	#1187
BALANCE DUE	- 0 -	MONEY ORDER	

[Signature]
 BY Theresa Mason, Secretary

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, NY 12553

General Receipt

16321

Received from Scaglione Quality Builders \$ 50.00
Fifty 00/100 DOLLARS
 For P.B. # 97-17

DISTRIBUTION:

FUND	CODE	AMOUNT
CR # 1188		50.00

By Dorothy H. Hansen
Town Clerk
 TITLE

WILLIAMSON LAW BOOK CO., VICTOR, NY 14564

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DATE September 4, 1997 **RECEIPT** NUMBER 97-17
 RECEIVED FROM Scaglione Quality Builders
 Address 241 Temple Hill Rd. - New Windsor, N.Y.
Five Hundred 00/100 DOLLARS \$500.00
 FOR One lot recreation fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE	500 00	CASH	
AMOUNT PAID	500 00	CHECK	#1245
BALANCE DUE	- 0 -	MONEY ORDER	

[Signature]
 BY Theresa Mason, Secretary

Wilson Jones • Carbonless • S1642-4WCL Duplicate • S1644-4WCL Triplicate
 MADE IN U.S.A.
 © Wilson Jones, 1989

DATE September 4, 1997 **RECEIPT** 6772314
 RECEIVED FROM Scaglione Quality Builders
 Address 241 Temple Hill Rd. - New Windsor, N.Y.
Two Hundred Sixty 00/100 DOLLARS \$260.00
 FOR Planning Board Approval Fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	260 00
AMOUNT PAID		CHECK	
BALANCE DUE		MONEY ORDER	

Town Clerk
 BY Dorothy H. Hansen

97-17

Map Number 201-97

Section 6 Block 1 Lot 20

City H
Town N. Windsor
Village

Title: Scaglione, Domenico

Dated: 8-14-97 rev. Filed 8-29-97

Approved by Edward S. [Signature]

on 8-27-97

Record Owner Domenico Scaglione

(3 sheets)

JOAN A. MACCHI
Orange County Clerk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

REVIEW NAME: SCAGLIONE MINOR SUBDIVISION
PROJECT LOCATION: UNION AVENUE (NEAR ROUTE 300)
SECTION 6-BLOCK 1-LOT 20
PROJECT NUMBER: 97-17
DATE: 13 AUGUST 1997
DESCRIPTION: THE APPLICATION PROPOSES THE SUBDIVISION OF THE
1.5 +/- ACRE PARCEL INTO TWO (2) SINGLE-FAMILY
RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY
REVIEWED AT THE 14 MAY 1997 PLANNING BOARD
MEETING.

1. The property is located within the R-4 Zoning District. It was previously determined that this application required area variances, and the application was referred to the Zoning Board of Appeals at the 14 May 1997 Planning Board meeting.

The Applicant has scheduled this appearance in anticipation of favorable action by the ZBA. Prior to stamp of approval of the final subdivision plat, a copy of the necessary variance should be on file with the Planning Board.


2. The Applicant's surveyor has responded to all other review comments from this engineer.
3. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
4. The Planning Board should determine if a **Public Hearing** will be necessary for this **minor subdivision**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: SCAGLIONE MINOR SUBDIVISION
PROJECT LOCATION: UNION AVENUE (NEAR ROUTE 300)
SECTION 6-BLOCK 1-LOT 20
PROJECT NUMBER: 97-17
DATE: 13 AUGUST 1997

5. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
6. At this time, I am aware of no outstanding items with regard to this application. If all procedural items noted above have been satisfied, I am aware of no reason why this application could not receive preliminary and final subdivision approval.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer
MJE mk

A:SCAG2-17.mk

REGULAR ITEMS:

SCAGLIONE, DOMENICO SUBDIVISION (97-17) UNION AVE.

Mr. Gerald Zimmerman appeared before the board for this proposal.

MR. PETRO: Is this brand new?

MR. ZIMMERMAN: You have seen this. This application is for a 2 lot subdivision on Union Avenue, property is just opposite with Planet Pizza, YMCA on Union Avenue. When we presented the subdivision to the board, one of the items to be considered for an approval or before we could be considered for an approval was to obtain a variance for lot number 2 for lot width. The lot width requirement at the front seat back line is a hundred feet by the zoning law and the property has 80 feet. So the board you know denied the application at our first appearance so we could go to the ZBA.

MR. PETRO: Is that why you were there Monday night?

MR. ZIMMERMAN: Yes.

MR. PETRO: You got a final decision and everything.

MR. ZIMMERMAN: They didn't give us the written decision at that time but the board--

MR. PETRO: We can still review even without it.

MR. KRIEGER: Yes, with the ZBA, that is correct, because it's effective at the time they vote. The written memorandum afterwards is an afterthought.

MR. PETRO: Okay.

MR. ZIMMERMAN: So at the Monday night ZBA meeting, the zoning board reviewed the application and granted the variance for the lot width. At this point, we have addressed the comments by your engineer and his last memorandum we appeared at the workshop and I think that the plan is in the form, in the completed form at this point.

MR. PETRO: You do have the zoning data on the map, you have done a lot of work since Monday.

MR. ZIMMERMAN: Yes, everything is on the plan.

MR. EDSALL: The only thing that would have to be put on is the date of the variance would have to be added to the plans that are stamped.

MR. PETRO: Okay.

MR. ZIMMERMAN: Yeah, at the zoning board meeting we sent out 43 notices and no one appeared.

MR. PETRO: I was at the meeting, I can verify that as well as Andy.

MR. LUCAS: Is this where you just finished the one house?

MR. ZIMMERMAN: Yes.

MR. PETRO: This is going to be behind that house?

MR. SCAGLIONE: Yes.

MR. DUBALDI: Make a motion we assume lead agency under the SEQRA process.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning board declare itself lead agency under the SEQRA process. Is there any further discussion from the board members for the Scaglione minor subdivision? If not, roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: We have highway approval, fire approval is 8/12/97 and highway is 8/8/97.

MR. DUBALDI: I think we can waive public hearing since the one for Zoning Board wasn't attended so I make a motion we waive public hearing.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive public hearing under its discretionary judgment for the Scaglione minor subdivision on Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LANDER	NO
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: Motion is carried 4 to 1.

MR. T SENT: Has it been to the County for the driveway cuts?

MR. ZIMMERMAN: Yes.

MR. PETRO: We have highway approval.

MR. STENT: I didn't know if it was county highway.

MR. PETRO: You're going to tie into the sewer line?

MR. ZIMMERMAN: Yes.

MR. PETRO: And local water, town water?

MR. SCAGLIONE: Yes.

MR. ZIMMERMAN: Yes.

MR. PETRO: The easement's going through the property aren't infringing anywhere by the construction?

MR. EDSALL: I believe they all are within this overall property and they have been laid out on the plan.

MR. PETRO: I see no further review that really needs to be necessary, looks like the applicant's done what he had to do. Is there any further discussion from the board members before I ask for a motion?

MR. DUBALDI: Make a motion we declare negative dec under the SEQRA process.

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Scaglione minor subdivision on Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: Now that I got ahead of myself, I'm back to where I was and I can take a motion.

MR. DUBALDI: Make a motion we approve the Scaglione minor subdivision on Union Avenue.

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Scaglione minor subdivision on Union Avenue. Is there any further discussion from the board members?

MR. DUBALDI: With the subject to of the note being added on the map from the zoning board.

MR. PETRO: Any further discussion? Roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: Thank you for coming in.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/04/97

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 97-17

NAME: SCAGLIONE, DOMENICO - SUBDIVISION

APPLICANT: SCAGLIONE, DOMENICO

---DATE---	MEETING-PURPOSE-----	ACTION-TAKEN-----
08/27/97	PLANS STAMPED	APPROVED
08/13/97	P.B. APPEARANCE	APPROVE COND.
08/06/97	WORK SESSION APPEARANCE	NEXT AGENDA
05/14/97	P.B. APPEARANCE	REFER TO Z.B.A.
05/07/97	WORK SESSION APPEARANCE	REVISE & SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/13/97

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 97-17

NAME: SCAGLIONE, DOMENICO - SUBDIVISION
APPLICANT: SCAGLIONE, DOMENICO

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	08/07/97	MUNICIPAL HIGHWAY	08/08/97	APPROVED
REV1	08/07/97	MUNICIPAL WATER	08/17/97	APPROVED
REV1	08/07/97	MUNICIPAL SEWER	/ /	
REV1	08/07/97	MUNICIPAL FIRE	08/12/97	APPROVED
ORIG	05/09/97	MUNICIPAL HIGHWAY	05/19/97	APPROVED
ORIG	05/09/97	MUNICIPAL WATER	05/13/97	APPROVED
ORIG	05/09/97	MUNICIPAL SEWER	08/07/97	SUPERSEDED BY REV1
ORIG	05/09/97	MUNICIPAL FIRE	05/13/97	APPROVED

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/04/97

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 97-17

NAME: SCAGLIONE, DOMENICO - SUBDIVISION
APPLICANT: SCAGLIONE, DOMENICO

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	05/09/97	EAF SUBMITTED	05/09/97	WITH APPLICATION
ORIG	05/09/97	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	05/09/97	LEAD AGENCY DECLARED	08/13/97	TOOK LEAD AGENCY
ORIG	05/09/97	DECLARATION (POS/NEG)	08/13/97	DECL. NEG. DEC
ORIG	05/09/97	PUBLIC HEARING	08/13/97	WAIVE P.H,
ORIG	05/09/97	AGRICULTURAL NOTICES	/ /	

TO DISPLAY SUMMARY OF CHGS & PMTS

SCARGLIONE, DOMENICO - SUBDIVIS

APPLICATION NUMBER: 97-17

DESCRIPTION-----	--AMT-CHG	--AMT-PAID	--BAL-DUE
E ESCROW	326.00	350.00	-24.00
A APPLICATION	50.00	50.00	0.00
R RECREATION	500.00	500.00	0.00
Z APPROVAL	260.00	260.00	0.00
	=====	=====	=====
GRAND TOTAL:	1136.00	1160.00	-24.00

Press any key to continue...

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/04/97

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 97-17

NAME: SCAGLIONE, DOMENICO - SUBDIVISION
APPLICANT: SCAGLIONE, DOMENICO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/09/97	REC. CK. #1187	PAID		350.00	
05/14/97	P.B. ATTY. FEE	CHG	35.00		
05/14/97	P.B. MINUTES	CHG	18.00		
08/13/97	P.B. ATTY. FEE	CHG	35.00		
08/13/97	P.B. MINUTES	CHG	22.50		
08/27/97	P.B. ENGINEER FEE	CHG	215.50		
09/04/97	RET. TO APPLICANT	CHG	24.00		
		TOTAL:	350.00	350.00	0.00

*Please issue a check in the
amount of \$24.00 to:*

*Scaglione Quality Builders
241 Temple Hill Rd.
New Windsor, N.Y. 12553*

L.R. 9/4/97

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/04/97

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 97-17

NAME: SCAGLIONE, DOMENICO - SUBDIVISION

APPLICANT: SCAGLIONE, DOMENICO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	--AMT-PAID	--BAL-DUE
08/27/97	SUB. APPROVAL FEE	CHG	260.00		
08/27/97	REC. CASH	PAID		260.00	
		TOTAL:	260.00	260.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/04/97

PAGE: 1

LISTING OF PLANNING BOARD FEES
RECREATION

FOR PROJECT NUMBER: 97-17

NAME: SCAGLIONE, DOMENICO - SUBDIVISION

APPLICANT: SCAGLIONE, DOMENICO

---DATE---	DESCRIPTION-----	TRANS	---AMT-CHG	---AMT-PAID	---BAL-DUE
08/27/97	ONE LOT REC. FEE	CHG	500.00		
08/27/97	REC. CK. #1255	PAID		500.00	
		TOTAL:	500.00	500.00	0.00

97-17

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00

ESCROW:

RESIDENTIAL:

___ LOTS @ 150.00 (FIRST 4 LOTS).....\$
___ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$

COMMERCIAL:

___ LOTS @ 400.00 (FIRST 4 LOTS).....\$
___ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$

TOTAL ESCROW DUE....\$

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00
PRELIMINARY PLAT APPROVAL\$ 100.00
FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 110.00
FINAL PLAT SECTION FEE.....\$ 100.00
BULK LAND TRANSFER...(\$100.00).....\$

TOTAL SUBDIVISION APPROVAL FEES.....\$ 260.00

RECREATION FEES:

___ LOTS @ \$500.00 PER LOT\$ 500.00

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$
PLANNING BOARD ATTORNEY FEES.....\$
MINUTES OF MEETINGS.....\$
OTHER.....\$

PERFORMANCE BOND AMOUNT.....\$

4% OF ABOVE AMOUNT.....\$

ESTIMATE OF PRIVATE IMPROVEMENTS: \$

2% OF APPROVED COST ESTIMATE:.....\$
(INSPECTION FEE)

RESULTS OF P.E. MEETING

DATE: August 13, 1997

PROJECT NAME: Sarghore, D. Sub PROJECT NUMBER 97-17

LEAD AGENCY: * NEGATIVE DEC: *

M) Q S) LN VOTE: A 5 N 0 * M) Q S) S VOTE: A 5 N 0 *

CARRIED: YES ✓ NO * CARRIED: YES: ✓ NO *

PUBLIC HEARING: M) Q S) S VOTE: A 4 N 1 LN

WAIVED: YES ✓ NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.E.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) Q S) S VOTE: A 5 N 0 APPROVED: 8/13/97

M) S) VOTE: A N APPR. CONDITIONALLY:

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

Variance received 8/18/97

Add date of variance approval to plan

B.2.

ZONING BOARD OF APPEALS

Summer Session

August 11, 1997

2nd. REVISED AGENDA:

7:30 p.m. - ROLL CALL

Motion to accept minutes of the 7/14/97 meeting as written, if available.

PRELIMINARY MEETING:

2-ET UP
- P/H 1. BARBERA, BRIAN - Request for interpretation of NC zone Column A-10-car wash permitted by right at 597 Little Britain Road. (34-2-1).

2-ET UP
- P/H 2. CASEY, JOHN - Request for 16 ft. rear yard variance to construct 14 x 16 family room at 111 Creamery Drive in a CL-1 zone. (80-5-2).

2-ET UP
- P/H 3. MANS/TOYOTA OF NEWBURGH - Request for 2 ft. variance to replace a wall sign located at the used-car sales office at 334 Route 9W in an NC zone. Present: Richard Gaillard. (14-3-3).

2-ET UP
- P/H 4. CRAIG/TOYOTA OF NEWBURGH - Request for 1 ft. 6 in. sign height and 1 ft. sign width variance in order to replace 2 signs at 336 Route 9W used-car sales office in an NC zone. Present: Richard Gaillard. (14-3-4).

PUBLIC HEARING:

2-ROVER 5. SCAGLIONE, DOMINICK - Referred by Planning Board for 20 ft. lot width variance as the result of a lot line change in order to subdivide two lots located on the north side of Union Avenue in an R-4 zone. (6-1-20).

Formal Decisions: (1) Suraci

APPROVED

Pat - 563-4630 (o)

562-7107 (h)

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

#1 6-23-97
SET UP FOR P/H

#2 ZBA 8-11-97
APPROVED

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 97-17

DATE: 12 JUN 97

APPLICANT: DOMENICO SCAGLIONE

241 TEMPLE HILL RD.

NEW WINDSOR N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED _____

FOR (SUBDIVISION) - ~~SITE PLAN~~ _____

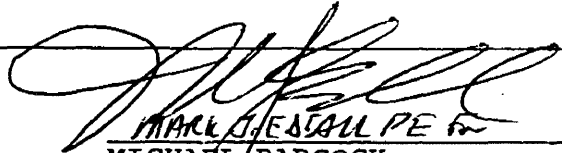
LOCATED AT UNION AVE _____

ZONE R-4

DESCRIPTION OF EXISTING SITE: SEC: 6 BLOCK: 1 LOT: 20

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

LOT WIDTH VARIANCE REQ'D FOR LOT 2



MICHAEL BABCOCK,
BUILDING INSPECTOR

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE	USE	LOT 1 / LOT 2	LOT 1 / LOT 2
MIN. LOT AREA	15000 SF	15591 ⁺ / 50709 ⁺	—
MIN. LOT WIDTH	100 FT	100 / 80	0 / 20
REQ'D FRONT YD	35 FT	50 / 208	—
REQ'D SIDE YD.	15 FT	25 / 50	—
REQ'D TOTAL SIDE YD.	30 FT	88 / 129	—
REQ'D REAR YD.	40 FT	80 / 128	—
REQ'D FRONTAGE	60 FT	100.8 ⁺ / 80.1 ⁺	—
MAX. BLDG. HT.	35 FT	—	—
FLOOR AREA RATIO	—	—	—
MIN. LIVABLE AREA	1000 SF	—	—
DEV. COVERAGE	30 %	— %	— %
O/S PARKING SPACES	N/A	—	—

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

POSSIBLE Z.B.A. REFERRALS:

SCAGLIONE, DOMENICO SUBDIVISION (97-17) UNION AVENUE

Mr. Gerald Zimmerman appeared before the board for this proposal.

MR. PETRO: Is this a different one?

MR. ZIMMERMAN: Yes.

MR. PETRO: Mr. Zimmerman, what are we doing here?

MR. ZIMMERMAN: Okay, this is a one and a half acre lot located on Union Avenue and what the applicant proposes to do is to subdivide this lot into two parcels, one lot number one as I have indicated on the plan is a lot that is a little over 15,000 square feet and meets the zoning requirements for water and sewer in all respects. The second lot which is almost 51,000 square feet also served by water and sewer, the limitation or the reason why we need a variance is that the lot width is 80 feet where the zoning requires 100.

MR. PETRO: On the road?

MR. ZIMMERMAN: Yes.

MR. LANDER: You need 100 and you have got 67 and 40?

MR. ZIMMERMAN: Actually, 67 and 12, so there's approximately 80 feet where the law requires 100.

MR. PETRO: I see the sewer runs directly behind the lot 2, so that would be real easy to access and you're going to access it from the front house where lot number one would be accessed for sewer, I see it's coming off to the west but where does it go?

MR. ZIMMERMAN: What we'd like to do as opposed to crossing Union Avenue, where the sewer line is on the other side, we'd like to go across the proposed lot number 2 and connect into the easement on lot number 2.

MR. PETRO: Does that easement run up the westerly

boundary line, is that what that does, the 20 foot bends and comes up so you'd go directly across?

MR. ZIMMERMAN: Yes.

MR. PETRO: You'd have to get an easement from lot number 2 dedicated to lot number one?

MR. ZIMMERMAN: Yes..

MR. PETRO: Correct Andy?

MR. KRIEGER: Yes.

MR. LUCAS: Water is on that side of Union though right?

MR. ZIMMERMAN: That is correct, that is why we're coming straight out.

MR. PETRO: Obviously Dominick you own both lots so granting yourself an easement won't be a problem, correct?

MR. SCAGLIONE: Right.

MR. PETRO: Basically, unless someone has a real problem, one other question before I get to that, the total lot size is what about?

MR. ZIMMERMAN: Total lot area is an acre and a half, about 65,000, 66,000.

MR. LANDER: Mr. Chairman, we have a 20 foot easement, a sewer easement coming down that property, is that subtracted from his road frontage or just from the lot area?

MR. PETRO: No, it's not.

MR. EDSALL: It just affects lot area.

MR. LANDER: The sewer easement has that be subtracted from the lot area.

MR. ZIMMERMAN: I haven't done that calculation as of yet.

MR. BABCOCK: Ron, he needs 15,000 square feet to build there and he has 50,000 so without that subtracted out I'm sure he's got more than enough.

MR. LANDER: Does the 20 foot sewer easement, does that come off his road frontage also?

MR. BABCOCK: No, only affects lot area.

MR. PETRO: Mr. Zimmerman, there is a few housekeeping notes that you can take Mark's comments with and go over those, we're not going to hold you up tonight because basically you're here for an approval so what we're going to do is--

MR. LANDER: Send him to zoning, right?

MR. PETRO: Motion for final approval.

MR. LANDER: So moved.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Scaglione minor subdivision on Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	NO
MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred over to the New Windsor Zoning board to try to receive the necessary variances that you require here. Once you have received those variances, they are put on this map, you can then be put back on this agenda and this

May 14, 1997

7

board will further review it as a planning board review. Thank you.

MR. ZIMMERMAN: Thank you.

PRELIMINARY MEETING:

SCAGLIONE, DOMENICO

MR. NUGENT: Referred by Planning Board for 0/20 ft. lot width variance for lot #2 in a two lot subdivision located on Union Avenue in an R-4 zone.

Mr. Gerald Zimmerman, P.E. appeared before the board for this proposal.

MR. NUGENT: What's 0/20?

MR. BABCOCK: Well, you have a side yard and a total side yard, Jim, when you read the bulk tables it says 20, 40, 20, 80, whatever it is, so we need zero on one side and a total of 20.

MR. NUGENT: Okay, proceed, I'm sorry.

MR. ZIMMERMAN: Okay, all right, this property the, board's acquainted with it, but it's located right out here on Union Avenue. Basically, there's a new house being built on the property, it's across from the pizza place and at the present time, that dwelling is being constructed obviously on the entire property but according to our map, it would be in the location shown on lot number one. So what we have done--

MR. NUGENT: Do you have an extra map?

MS. BARNHART: There should be one, I'm sorry, Carol's got one attached to the--

MR. BABCOCK: I have one here, Mike, would you like to look at it?

MR. KANE: Thanks.

MR. NUGENT: Just so we can follow.

MS. OWEN: Where on Union Avenue is this?

MS. BARNHART: Across from Planet Pizza.

MR. ZIMMERMAN: Across from Planet Pizza actually there's a new house, we have some photographs.

MR. SCAGLIONE: Yeah, I have some here.

MR. BABCOCK: Jimmy, I need to correct what I said before, I thought we were talking side yard lot 1 requirement is a hundred feet, lot 1 has a hundred so it is zero, they don't need a variance for that. He just wanted to show you that lot 2 has 80 feet so they need a variance of 20 foot width.

MR. NUGENT: Because of the easement?

MR. BABCOCK: That is correct.

MR. NUGENT: Okay.

MR. ZIMMERMAN: This is the location of the house that is under construction, variance that we're looking for would be on this proposed lot.

MR. NUGENT: Other lot.

MR. ZIMMERMAN: Yes.

MR. KANE: Excuse me, the variance is strictly due because of the easement?

MR. BABCOCK: Well--

MR. NUGENT: They have got 120 foot in the back.

MR. BABCOCK: Yeah, the lot width is measured at the street line now.

MR. NUGENT: At the who?

MR. BABCOCK: At the street line.

MR. NUGENT: Okay.

MR. BABCOCK: It used to be and/or building line and setback line and they took that out because he has a hundred foot lot width back at his building.

MR. KANE: It's at the entrance that he doesn't have it?

MR. BABCOCK: That is correct.

MR. ZIMMERMAN: So as by showing the bulk table particularly for lot number 2, this new lot that we're looking to create meets and exceeds the zoning requirements by far in all respects, however, for the lot width we're 20 feet shy on that.

MR. KANE: And on the proposed house on lot 1 everything on that particular piece of property meets all the zoning requirements?

MR. BABCOCK: Yes, he's building a house there right now.

MR. KANE: Yeah, I have seen it.

MR. KRIEGER: That existing house and the existing gravel driveway will they remain?

MR. ZIMMERMAN: Existing house will remain, the existing gravel driveway probably will also. It's been there for, you know, for as long as that house has been there so existing house is not, is someone's else's, it's occupied and will remain.

MR. KANE: Is that a common entrance on the driveway and then just splits off to the proposed driveway?

MR. SCAGLIONE: No, no.

MR. BABCOCK: The existing driveway shouldn't be there, it's his neighbor's driveway, he just kind of like put a temporary driveway on this guy's property. Now he's trying to work it out with his neighbor now whether he is going to let him park there or not and I told him that that was up to him to deal with his neighbor if he decides his neighbor can no longer use that driveway that is it, he can no longer use it.

MR. SCAGLIONE: He has his own driveway on that side.

MR. BABCOCK: He has his own, not like he has to have this.

MR. NUGENT: That is between them.

MR. BABCOCK: Yeah.

MS. OWEN: So the only reason you need this is because of the easement?

MR. NUGENT: No, road frontage.

MS. OWEN: Road frontage?

MS. BARNHART: The width is not wide enough.

MR. ZIMMERMAN: Right, the lot width at this location setback.

MS. OWEN: From here to here.

MR. ZIMMERMAN: Right, is 80 feet, what we need is a hundred so that is the only reason why we need a variance, that is the reason why.

MR. NUGENT: I have no further questions. Does any of the board members?

MR. KRIEGER: What's in the back where you are going to put the, where you are going to put the proposed house, what's there now?

MR. ZIMMERMAN: The width?

MR. KRIEGER: No, what's on the ground?

MR. ZIMMERMAN: It's just vacant land, it's wooded, I will show you in the photos.

MR. NUGENT: Backs up to Brown's Pond or part of the Washington Lake there.

MR. ZIMMERMAN: This is all vacant land back here.

MR. NUGENT: Woods. Mike, do you have any other questions?

MR. KANE: Entertain a motion?

MR. NUGENT: Yes.

MR. KANE: I move we grant Mr. Domenico Scaglione a public hearing for this requested variance.

MS. OWEN: Second it.

ROLL CALL

MS. OWEN AYE

MR. KANE AYE

MR. NUGENT AYE

MR. NUGENT: Michael, can we keep one of these for the record?

MR. BABCOCK: Yeah, Jim, that is for your records.

MR. KRIEGER: I'm sure you have seen this before, those are the standards so if you would address yourself to those at the time of the public hearing, that would be helpful.

MR. ZIMMERMAN: Schedule it through?

MS. BARNHART: Yeah, after you get the paperwork back to me all filled in, then you have to order your list too, that is another thing may take a while, I sent the paperwork to you, I think I did.

MR. ZIMMERMAN: I think so, thank you.

RESULTS OF P.E. MEETING

DATE: May 14, 1997

PROJECT NAME: Scaglione, Domenico Sub PROJECT NUMBER 97-16

LEAD AGENCY:

* NEGATIVE DEC:

M) S) VOTE: A N

* M) S) VOTE: A N

CARRIED: YES NO

* CARRIED: YES: NO

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) L S) 0 VOTE: A 5 N 0 YES ✓ NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPR. CONDITIONALLY:

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

Z.B.A.

May 14, 1997

4

POSSIBLE Z.B.A. REFERRALS:

SCAGLIONE, DOMENICO SUBDIVISION (97-17) UNION AVENUE

Mr. Gerald Zimmerman appeared before the board for this proposal.

MR. PETRO: Is this a different one?

MR. ZIMMERMAN: Yes.

MR. PETRO: Mr. Zimmerman, what are we doing here?

MR. ZIMMERMAN: Okay, this is a one and a half acre lot located on Union Avenue and what the applicant proposes to do is to subdivide this lot into two parcels, one lot number one as I have indicated on the plan is a lot that is a little over 15,000 square feet and meets the zoning requirements for water and sewer in all respects. The second lot which is almost 51,000 square feet also served by water and sewer, the limitation or the reason why we need a variance is that the lot width is 80 feet where the zoning requires 100.

MR. PETRO: On the road?

MR. ZIMMERMAN: Yes.

MR. LANDER: You need 100 and you have got 67 and 40?

MR. ZIMMERMAN: Actually, 67 and 12, so there's approximately 80 feet where the law requires 100.

MR. PETRO: I see the sewer runs directly behind the lot 2, so that would be real easy to access and you're going to access it from the front house where lot number one would be accessed for sewer, I see it's coming off to the west but where does it go?

MR. ZIMMERMAN: What we'd like to do as opposed to crossing Union Avenue, where the sewer line is on the other side, we'd like to go across the proposed lot number 2 and connect into the easement on lot number 2.

MR. PETRO: Does that easement run up the westerly

May 14, 1997.

5

boundary line, is that what that does, the 20 foot bends and comes up so you'd go directly across?

MR. ZIMMERMAN: Yes.

MR. PETRO: You'd have to get an easement from lot number 2 dedicated to lot number one?

MR. ZIMMERMAN: Yes.

MR. PETRO: Correct Andy?

MR. KRIEGER: Yes.

MR. LUCAS: Water is on that side of Union though right?

MR. ZIMMERMAN: That is correct, that is why we're coming straight out.

MR. PETRO: Obviously Dominick you own both lots so granting yourself an easement won't be a problem, correct?

MR. SCAGLIONE: Right.

MR. PETRO: Basically, unless someone has a real problem, one other question before I get to that, the total lot size is what about?

MR. ZIMMERMAN: Total lot area is an acre and a half, about 65,000, 66,000.

MR. LANDER: Mr. Chairman, we have a 20 foot easement, a sewer easement coming down that property, is that subtracted from his road frontage or just from the lot area?

MR. PETRO: No, it's not.

MR. EDSALL: It just affects lot area.

MR. LANDER: The sewer easement has that be subtracted from the lot area.

May 14, 1997

6

MR. ZIMMERMAN: I haven't done that calculation as of yet.

MR. BABCOCK: Ron, he needs 15,000 square feet to build there and he has 50,000 so without that subtracted out I'm sure he's got more than enough.

MR. LANDER: Does the 20 foot sewer easement, does that come off his road frontage also?

MR. BABCOCK: No, only affects lot area.

MR. PETRO: Mr. Zimmerman, there is a few housekeeping notes that you can take Mark's comments with and go over those, we're not going to hold you up tonight because basically you're here for an approval so what we're going to do is--

MR. LANDER: Send him to zoning, right?

MR. PETRO: Motion for final approval.

MR. LANDER: So moved.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Scaglione minor subdivision on Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	NO
MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred over to the New Windsor Zoning board to try to receive the necessary variances that you require here. Once you have received those variances, they are put on this map, you can then be put back on this agenda and this

May 14, 1997

7

board will further review it as a planning board review. Thank you.

MR. ZIMMERMAN: Thank you.

SCAGLIONE, DOMINICK

MR. NUGENT: Request for use variance to construct two family residence in R-4 zone (two-family not permitted) on n/s Union Avenue.

Mr. Dominick Scaglione appeared before the board for this proposal.

MR. SCAGLIONE: My proposal was to build a one family home and this I will consider one family, if you take a look with the exception of considering two family, it's only two kitchens in one building. Now, second floor and first floor they are open, they communicate together, so there's access between first floor and second floor.

MR. NUGENT: Is this the same family?

MR. SCAGLIONE: It's the same family, the exception is only two kitchens, I have no intention to do two family.

MR. BABCOCK: Mr. Chairman, maybe I can clear it up just a little bit. When we did the review of the building plans, it was our opinion as reviewing the plans at least Frank's opinion that this would be a two-family house. And the reason for it is is that what he is saying is in his opinion only that he's got a kitchen, living room, bathroom, bedroom and rec room on the first floor. On the second floor, he's got three bedrooms, two bathrooms, a kitchen, dining room and living room. Okay, so there are people that want to have two kitchens so the two kitchens we accept. Now you have separate units, you have separate entranceways and so on and so forth so what we said was the best thing to do is to come to the zoning board, let this board make decisions saying it's not a two-family house. Frank feels that the way it's laid out in his opinion it could be a two-family house.

MR. NUGENT: Could be.

MR. BABCOCK: Right, so we can ask the questions the same as you, you know, Dominick said that it's going to

be the same family living there, they just want to have two kitchens and everything else. But we want to make sure that at least this board has looked at it and makes a decision for us that is what we're looking for.

MR. TORLEY: This is a bi-level?

MR. SCAGLIONE: Yes.

MR. TORLEY: And there's no barrier between one entranceway?

MR. SCAGLIONE: No, it's open.

MR. TORLEY: One entranceway for the house and these stairs go up and down, are not closed, all open?

MR. SCAGLIONE: Yes, this is a closet door that is underneath the stairs.

MS. BARNHART: He's only going to get a C.O. for one family.

MR. KRIEGER: Yes, but if he gets a C.O. for one family and it's occupied as he's indicated, it's a one family so the thing is we're a two family, it would be the consideration would be basically down the road allowing someone to--

MR. NUGENT: You'd have to go for a variance at that point.

MR. KRIEGER: The then owner to rent to, you know, rent part of it to someone else.

MS. BARNHART: Dominick, did you hear what the attorney just said?

MR. SCAGLIONE: No, I'm sorry. Well, I will let them take a look.

MR. NUGENT: Only one entrance?

MR. SCAGLIONE: One entrance.

MR. BABCOCK: There's an entrance here, entrance here upstairs.

MR. TORLEY: Split staircase but the staircase is open?

MR. SCAGLIONE: Staircase is open.

MR. BABCOCK: Downstairs you got a door here, one here and this deck goes upstairs to this.

MR. NUGENT: But the front door is only one?

MR. BABCOCK: Yes, this door right here at the top of the stairs.

MR. SCAGLIONE: This is a closet door underneath the stairs, this is free up and down, this is a closet door and then the stairs, it's not closed, this is, and then this is stairs, this goes down and underneath, it's a door, it's open, it's all open but he mentioned that I said it's no door, it is a closet.

MR. BABCOCK: Okay.

MR. NUGENT: They are dotted lines, they are not solid for the stairs.

MR. BABCOCK: Right, I see that they are below.

MR. TORLEY: So what you're asking for is an interpretation from us or recommendation. We don't have to set a public hearing, do we?

MS. BARNHART: You have to do an interpretation at the public hearing.

MR. BABCOCK: I think you can give me some guidance, I want something in the record, you know, why we're worried about this. It's happening quite often.

MR. TORLEY: You're doing the right thing. My only question is as I look at the plans, my first inclination looks like this is a big one-family house but I don't know whether we have to go to a public hearing to say that.

MR. KRIEGER: Difference is this, if he were being cited or if he had to appear in justice court then an informal polling of the board wouldn't mean anything, he couldn't use that as a defense, any formal interpretation of the board he could use as a defense. Since he's not to my understanding not now in front of the justice court, he has no violation, he's not being prosecuted, there's no immediate need for that. What I was saying before Mr. Scaglione about the one and two-family houses basically that I want you to understand if there comes a time in the future when the one family that is in there doesn't fill up the premises because it is not a two family, you couldn't legally rent part of it. It just would simply be under utilized, but you couldn't rent it to someone else. If you were to receive a variance to put a two family in there, that would mean that legally you would be free to rent part of the premises to someone else, two different persons, two different families, completely different families, that is what the difference is. But I understand that you are now using the premises, it's one family saying it's one family.

MR. SCAGLIONE: Yes.

MR. KRIEGER: So it would be down the road that it would become a concern.

MR. SCAGLIONE: Wasn't for that part to provide I would provide both floors downstairs and up stairs but that is another case because it's right now it's the purpose of one family.

MR. KRIEGER: If they were divided upstairs and downstairs, then you would have two separate living areas?

MR. SCAGLIONE: Right.

MR. KRIEGER: Which would not be permitted in that zone which means you could not legally rent out part of the house.

MR. TORLEY: This structure is to be built or it exists

now.

MR. SCAGLIONE: To be built.

MR. BABCOCK: He's trying to get a building permit to build it.

MR. TORLEY: My recommendation would be speaking strictly personally this to me is a big one-family house, I would merely ask when you do your final C.O. inspection to make sure it's built as the plans show it.

MR. BABCOCK: That is what our job is.

MR. KANE: On the second floor you can change what it is from dining room to living room to bedroom number four and number five and you don't want to have a kitchen upstairs, that is up to you. I can see how you can easily change this and make it into use for a two family, but I don't think it's our ability to anticipate that.

MR. KRIEGER: You can't penalize him for what they might do.

MR. NUGENT: I think they should be given a one family status, first of all, the lot is very, very small, if you look at the lot size, it's what, 115 by 120?

MR. SCAGLIONE: No, well, that is supposed to be on one acre and a half lot but since I have some problem with the subdivision going on and Mike probably can explain that.

MR. KANE: The house is 28 by 48 which is equivalent to the homes in Butter Hill.

MR. BABCOCK: Just to let you know Dominick came in for a subdivision up on Union Avenue here just across from Nina Street, he got a two lot subdivision, got his approval and everything else and now he's come back to the planning board and he wants to subdivide the rest of it in the back because of the sewer moratorium he had to wait for different things. He came in to get a

building permit for this house on that lot, he's already got it sold, he cannot get a driveway permit on that lot from Orange County because he's now in front of planning board again so he's already got these people sold for a house on Union Avenue. He happens to own the lot down the street here, so he has decided to put this house up for them down here because he's got a commitment with them. He can't get a driveway permit on these other lots because he's back in front of the planning board for a private road over top of where the driveway as going to go, that is why he wants to do it.

MR. NUGENT: Is that lot so small that he needs a coverage, developmental coverage?

MR. BABCOCK: No.

MS. BARNHART: What about area variances?

MR. BABCOCK: Jim, I think you're looking at the wrong lot possibly.

MR. NUGENT: I only went by the measurements on the denial.

MR. TORLEY: 112 by--

MR. BABCOCK: Since we changed houses around and lots around, there's a very good possibility that--

MS. BARNART: We have Section 4-2-22, that is the one we're talking about.

MR. TORLEY: My map has a rather tiny lot.

MR. BABCOCK: That is wrong.

MS. BARNHART: That is the one they gave me.

MR. BABCOCK: The section, block and lot is right, the circle that they have around the lot is wrong.

MR. NUGENT: That makes me feel a little better.

MR. BABCOCK: This lot is 180 by 275.

MR. BABCOCK: It's 6-1-20.

MS. BARNHART: They told me it was 6-1-20 and they changed it today and came back with that.

MR. BABCOCK: It doesn't matter what I am trying to--

MR. NUGENT: All he's looking for is guidance on that two-family house.

MR. TORLEY: My personal opinion, this is a one-family house.

MR. NUGENT: We tell you it's a one-family house, it doesn't need a file.

MR. KRIEGER: But the builder should be aware of the fact one family means, it's a one-family house, can't later be modified to be a two-family house.

MR. SCAGLIONE: No.

MR. KRIEGER: Not legally.

MR. BABCOCK: We're just a little paranoid by what's been going on lately.

MR. NUGENT: I don't blame you a bit.

MS. BARNHART: So Mike, 4-2-22 is wrong then?

MR. BABCOCK: Yes, I'm giving you the right numbers, just so that you have a file on it, so that there's a decision.

MS. BARNHART: Original file did say 6 whatever the other number was and they changed it today so now it's back to 6 again.

MR. BABCOCK: I don't have any tax map here with me so I will have to check tomorrow.

MR. TORLEY: Should your opinion be in the form of a motion or is that necessary?

MR. KRIEGER: All you're doing is it's informal advice to the building inspector, doesn't need to be.

MR. BABCOCK: You went into the file and changed the two plans around?

MR. SCAGLIONE: Yes.

MR. BABCOCK: That is what happened.

MR. SCAGLIONE: This house goes on that new subdivision now later on it will be another, no,

MR. BABCOCK: You're going to build the house up there, down there now?

MR. SCAGLIONE: Right because of the driveway.

MR. BABCOCK: He went into the building department with Frank and changed the plans, took this plan out of this file or switched the two files, that is why it's confused so Frank's thinking he's building this house on that lot, that is why he changed the numbers.

MR. SCAGLIONE: Even on the lot, it's only 28 by 48, which is fine on 15,000 square feet, I don't see nothing wrong with that, you know, since it's a one family, it's a one family, just with the exception of the two kitchens.

MR. BABCOCK: We'll straighten it out.

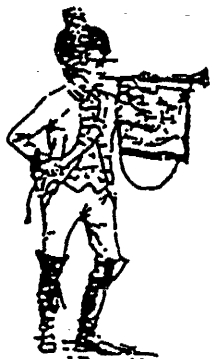
MR. KRIEGER: Italian family.

MR. SCAGLIONE: Italian family, lot of cooking, lot of eating food, right? That is it.

MR. REIS: So we made a determination.

MR. TORLEY: You're all set.

MR. BABCOCK: When you're ready to get a building permit, come in and see me and we'll give you one.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97-17

DATE PLAN RECEIVED: RECEIVED AUG 7 1997

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Seayline _____ has been

reviewed by me and is approved ☒ _____,

disapproved ☐ _____.

~~If disapproved, please list reason~~ _____

Water Service has been brought to
first prog- Call water dept. for further
info-

HIGHWAY SUPERINTENDENT _____ DATE _____

Steve D. D. - Cam 8-7-97
WATER SUPERINTENDENT _____ DATE _____

SANITARY SUPERINTENDENT _____ DATE _____

MEMO

To: New Windsor Planning Board

From: Town Fire Inspector

Subject: Scaglione Subdivision

Date: 12 August 1997

Planning Board Reference Number: 97-17

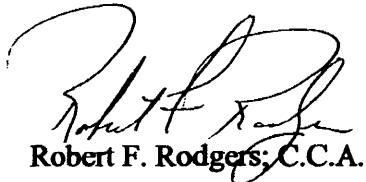
Dated: 7 August 1997

Fire Prevention Reference Number: FPS-97-036

A review of the above referenced subject subdivision plan was conducted on August 1997.

This subdivision plan is acceptable.

Plans Dated: 1 August 1997 Revision 2



Robert F. Rodgers, C.C.A.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

RECEIVED

AUG 08 1997

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

N.W. HIGHWAY DEPT.

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

97 - 17

DATE PLAN RECEIVED:

RECEIVED AUG 7 1997

The maps and plans for the Site Approval _____

Subdivision ☒ _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ☒ _____,

disapproved ☐ _____.

If disapproved, please list reason _____

W. James Oller 8/8/97
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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(914) 562-8640
- ☐ Branch Office
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Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor

P/B # 97-17

WORK SESSION DATE: 6 Aug 97

APPLICANT RESUB.
REQUIRED: plans

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Scaglione

PROJECT STATUS: NEW OLD X

REPRESENTATIVE PRESENT: Don / Cam 2.

MUNIC REPS PRESENT: BLDG INSP. ✓
FIRE INSP. ✓
ENGINEER ✓
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

went to ZBA - PH sched for Mon
made all corrections.

Want 8/13 agenda
new plans



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

RECEIVED

MAY 12 1997

N.W. HIGHWAY DEPT.

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97 - 17

DATE PLAN RECEIVED: RECEIVED MAY 9 1997

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ✓

disapproved _____

If disapproved, please list reason _____

W. James Cella 5/19/97
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

MEMO

To: Town Planning Board

From: Town Fire Inspector

Subject: Scaglione Subdivision

Date: 13 May 1997

Planning Board Reference Number: PB-97-17

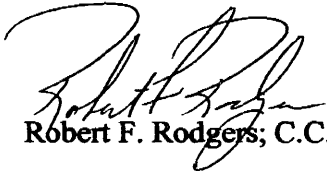
Dated: 9 May 1997

Fire Prevention Reference Number: FPS-97-023

A review of the above referenced subject subdivision plan was conducted on 12 May 1997.

This subdivision plan is acceptable.

Plans Dated: 7 May 1997.



Robert F. Rodgers; C.C.A.

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97- 17
DATE PLAN RECEIVED: RECEIVED MAY 9 1997

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
_____ for the building or subdivision of
Dominic Scaglione has been
reviewed by me and is approved ✓
~~disapproved~~ _____.

~~If disapproved, please list reason~~ _____

Town water is available - notify
water dept. for make-out

HIGHWAY SUPERINTENDENT DATE

Steve D. D.O. - CAMW - 5-15-97
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor

P/B # 97- 17

WORK SESSION DATE: 7 May 97

APPLICANT RESUB.

REAPPEARANCE AT W/S REQUESTED: Not New

REQUIRED: Rel App

PROJECT NAME: Scagliose III

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: Jerry Z, Mr. Scagliose

MUNIC REPS PRESENT: BLDG INSP. _____

FIRE INSP. _____

ENGINEER X _____

PLANNER _____

P/B CHMN. _____

OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- ~~lot~~ 2 lot sub Union Ave (next to Infante)
- need lot width variance
- need sewer line thru large lot to svc small lot. (side to exist sewer)
- move WL parallel to drive to rear lot

next avail
agenda after plans

"XX"

176 TYPE OF APPLICATION (check appropriate item):

Page 1 of 2

10. Tax Map Designation: Section 6 Block 1 Lot 20
11. General Description of Project: A two lot subdivision of 15+ acres of land. Lot No. 1 is 15,591 square feet, Lot No. 2 is 50,769 ± square feet both lots to be served by municipal water and sewer.
12. Has the Zoning Board of Appeals granted any variances for this property? yes x no.
13. Has a Special Permit previously been granted for this property? yes x no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

9th day of May 1997

James Co. Higgins
Applicant's Signature

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1997

TOWN USE ONLY:

RECEIVED MAY 9 1997

Date Application Received

97- 17

Application Number

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARDDomenico Scaglione, deposes and says that he
(Applicant)resides at 241 Temple Hill Road; New Windsor, NY 12553
(Applicant's Address)in the County of Orangeand State of New Yorkand that he is the applicant for the Subdivision forDomenico Scaglione
(Project Name and Description)

which is the premises described in the foregoing application and

that he has authorized Zimmerman Engineering & Surveying, P.C.
(Professional Representative)

to make the foregoing application as described therein.

Date: 5/8/97Domenico Scaglione
(Owner's Signature)Paul W. Woblench
(Witness' Signature)THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

If Applicable "XX"

TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. xx Environmental Assessment Statement
- *2. xx Proxy Statement
3. xx Application Fees
4. xx Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1. xx Name and address of Applicant.
- *2. Name and address of Owner.
3. xx Subdivision name and location.
4. xx Tax Map Data (Section-Block-Lot).
5. xx Location Map at a scale of 1" = 2,000 ft.
6. xx Zoning table showing what is required in the particular zone and what applicant is proposing.
7. n/a Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. xx Date of plat preparation and/or date of any plat revisions.
9. xx Scale the plat is drawn to and North Arrow.
10. Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11. xx Surveyor's certification.
12. xx Surveyor's seal and signature.

*If applicable.

13. xx Name of adjoining owners.
14. n/a Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. n/a Flood land boundaries.
16. n/a A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17. xx Final metes and bounds.
18. xx Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
19. xx Include existing or proposed easements.
20. n/a Right-of-Way widths.
21. n/a Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. xx Lot area (in square feet for each lot less than 2 acres).
23. xx Number the lots including residual lot.
24. n/a Show any existing waterways.
- *25. n/a A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. xx Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28. xx Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

*If applicable.

29. n/a Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. n/a Provide "septic" system design notes as required by the Town of New Windsor.
31. _____ Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. _____ Indicate percentage and direction of grade.
33. n/a Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. xx Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. xx Indicate location of street or area lighting (if required).

97- 17

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. n/a Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
37. n/a A Disclosure Statement, in the form set below must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or lessor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: Gerald J. Zimmerman

Licensed Professional

Date: 5/8/97

RECEIVED MAY 9 1997

97-17

SEQR

14-1 (2/87)-Text 12

PROJECT I.D. NUMBER

617.21

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Domenico Scaglione	2. PROJECT NAME Subdivision for Domenico Scaglione
3. PROJECT LOCATION: Municipality <u>Town of New Windsor</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) North side of Union Avenue 250 feet west of Clark View road	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: A two lot subdivision of 15± acres of land. Lot No. 1 is 15,591 ± square feet, Lot No. 2 is 50,769 ± square feet both lots to be served by municipal water and sewer	
7. AMOUNT OF LAND AFFECTED: Initially <u>1.5±</u> acres Ultimately <u>1.5±</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly Lot width variance required for Lot No. 2	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals Town of New Windsor Zoning Board of Appeals lot width variance	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>DOMENICO SCAGLIONE</u>	Date: <u>May 8, 1997</u>
Signature: <u>by Gerald J. [Signature] Proj. Engr.</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 8 NYCRR, PART 817.12? If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 8 NYCRR, PART 817.87 If No, a negative declaration may be superseded by another involved agency.

☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☐ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date